

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DONALD J. TRUMP,

Plaintiff,

v.

Case No. 20-C-1785

THE WISCONSIN ELECTIONS COMMISSION, et al.,

Defendants.

NOTICE OF MOTION AND MOTION TO DISMISS PURSUANT TO FEDERAL RULES
12(b)(1) AND (6) OF DEFENDANTS BARRETT, WOODALL-VOGG, AND OWCZARSKI

Defendants Milwaukee Mayor Tom Barrett, Milwaukee Election Commission Executive Director Claire Woodall-Vogg, and City Clerk Jim Owczarski, by their attorneys, hereby move for dismissal pursuant to Fed. R. Civ. P. 12(b)(1) and (6).

The grounds for the Defendants' Motion are that the Court lacks subject-matter jurisdiction pursuant to Rule 12(b)(1) and that the Plaintiff has failed to state a claim upon which relief can be granted, pursuant to Rule 12(b)(6). This Motion is based on the allegations in the Complaint and the accompanying Brief of Defendants in Support of Motion to Dismiss.

WHEREFORE, Defendants Milwaukee Mayor Tom Barrett, Milwaukee Election Commission Executive Director Claire Woodall-Vogg, and City Clerk Jim Owczarski respectfully request and order from this Court dismissing the Plaintiff's Complaint in its entirety and without need for further proceedings. They further request the award of costs and attorneys' fees and such other and further relief as this Court deems just and proper.

Dated at Milwaukee, Wisconsin, this 8th day of December, 2020.

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